

**County of San Diego, Health and Human Services Agency (HHSA)
CalWORKs Program Guide**

Diversion Program

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Background:

Every CalWORKs applicant must be informed of the availability of the Diversion Program, which offers a one-time payment as a possible resolution to the circumstances that caused the family to apply for cash assistance prior to the family's approval for aid. The Diversion Program provides cash payments or services provided to a CalWORKs applicant with the intent of diverting the applicant from long-term aid.

An applicant for CalWORKs may either, participate in the Diversion Program, or decline participation and receive aid under CalWORKs, if otherwise eligible.

Policy:

40-100.I.1 Diversion Requirements

CalWORKs **applicants** may only get diversion at the time of application. The time of application includes the face-to-face interview and anytime while the application is pending.

To qualify for Diversion services the applicants must meet all the following requirements:

- Be apparently eligible for CalWORKs
- Have a job offer or current employment
- Be able to benefit from diversion services and avoid the need for extended assistance
- Complete and sign the CalWORKs Diversion Services Agreement, form CW 88

40-100.I.2 Apparent Eligibility

Apparent Eligibility is based on the Assistance Unit (AU) income and resource information as reported during the application process. Apparent Eligibility means that the information otherwise available on the *Statement of Facts (SAWS 2 PLUS)* and information otherwise available to the county indicates that the AU would be eligible for CalWORKs if the information were verified.

Verify the following to support the Apparent Eligibility:

- Eligible alien status for non-citizen applicants and
- Medical verification of pregnancy if the applicant is pregnant with no other eligible children.

40-100.I.3 Criteria of Job Offer or Current Employment

In determining whether the applicant is likely to be able to avoid the need for extended assistance the county will consider whether an applicant has current employment or a job offer. The employment or job offer must:

- Provide income that when combined with other resources will enable the applicant to meet the family's needs without a monthly CalWORKs grant; **and**
- Have a definite start date and be expected to last throughout the Diversion period.

40-100.I.4 Applicant's Right to Choose

If an applicant has been determined to be a suitable candidate for the Diversion Program, the CW Eligibility worker must inform the applicant of this option.

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The applicant has the right to accept or reject the Diversion Program option. The one-time payment is intended to cover the family's specific need(s) in lieu of ongoing CalWORKs cash aid. If the applicant chooses to receive a Diversion payment in lieu of receiving aid, deny the CalWORKs cash aid application, when the Diversion payment is authorized.

40-100.I.5 Individuals Not Eligible for Diversion

The following individuals are considered **ineligible** for Diversion payments:

- Non-needy caretaker relatives
- SSI Recipients
- Timed out individuals
- Individuals convicted of fraud
- Other individuals who are not 'apparently eligible', i.e., non-residents, fleeing felons, undocumented non-citizens, sanctioned individuals, etc.

Note: An individual convicted in state or federal court, after December 31, 1997, of a drug related felony, is ineligible for CalWORKs from the date of conviction up to March 31, 2015. Effective April 1, 2015, the prohibition from receipt of CalWORKs for individuals was repealed. ACL No. 14-100

40-100.I.6 Expenses Not Covered

Diversion payments must **NOT** be made for the following:

- Employer's background investigation pending an offer of a job, or for background checks
- Traffic tickets, parking tickets, or other penalties
- Start-up costs of self-employment
- Firearms / weapons

Note: The program may pay for some costs involved in continuing a self-employment business that has established a record of success.

40-100.I.7 Expenses Covered

The FRC management may authorize payments above the dollar limits listed below provided the total payment does not exceed the equivalent of three months of MAP for the AU. Documentation of unusual circumstances and need is required.

Expense	Description	Max Amount
Rent/Utilities	<ul style="list-style-type: none">• Rent/utility deposits, to stabilize a family situation. Utilities include gas, electric, propane and water.• Back rent to prevent eviction, and to cover utility payments in arrears to avoid utility shutoff or to assure restoration of utility service.• Rental/utility deposits for relocation within the county when distance between residence and employment prior to the move is at least 35 miles one-way, or residence is in a remote area that would require a trip on public transportation of two hours or more, including transfers.	Actual cost*

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Child care	Funds for child care while the individual is waiting to be accepted in Stage 2 or Stage 3 child care.	Actual Cost*
Transportation	Cash for gas or mass transit passes. Private vehicles must be owned by the individual and be required as a condition of employment (or if no public transportation is available), the individual must have a valid CA Driver License.	\$75
Vehicle Repair	Repairs to a vehicle owned and used by the individual (required as a condition of employment or if no public transportation is available). Includes: tires, batteries, smog checks, etc.	Actual Cost*
Clothing	<ul style="list-style-type: none"> • Uniforms • Special shoes (work, nursing) • Office Attire (including shoes) 	\$100 \$75 \$100
Tools	Tools required as a condition of employment and needed for the job – estimate is required.	Actual Cost*
Licenses/Health Cards	Licenses needed to obtain or retain employment. Note: Driver Licenses not included except when renewing a license to obtain or retain employment.	Actual Cost*
Union Dues	Initial membership fees if mandated to join a union as a condition of employment	Actual Cost*
Alien Documentation	Fees for <u>replacement</u> of alien registration documentation, issued by INS or the U.S. Consulate, required in obtaining employment.	Actual Cost*
Medical Tests/Services	Medical test/physicals not covered by Medi-Cal and required as a condition of employment. Can cover hearing aids, glasses, etc. not covered by Medi-Cal and needed for employment.	Actual Cost*
Stoves/ refrigerators	A stove and/or refrigerator needed to stabilize the family living situation.	\$250 each

* Actual Cost is granted up to the Maximum Assistance Payment (MAP) of AU multiplied by three.

40-100.I.8 Diversion Period

The Diversion period is determined by dividing the value of the Diversion payment by the appropriate MAP level for the 'apparently eligible' AU at the time of the initial application.

- Diversion payments are limited to once every 12 months (including Diversion payments from other counties)
- Diversion payments are limited to the equivalent of 3 months of the MAP for the AU.

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40-100.I.9 CalWORKs Application/Reapplication for Diversion Recipients

If a former Diversion recipient reapplies for cash aid:

If reapplication is...	Then...
Within the Diversion period	The AU has two options: <ul style="list-style-type: none">• To allow the county to recoup the entire Diversion payment amount through a 10% CalWORKs grant reduction, <u>or</u>• Count the entire determined Diversion period against the applicant's 48-month CalWORKs time limit.
After the Diversion period	Only one month is counted towards the 48-month CalWORKs time limit and no repayment of the Diversion services must be required.

40-100.I.10 Out-of-State Diversion:

Diversion income received from out-of state is considered a nonrecurring lump sum payment. Nonrecurring lump sum payments are treated as income in the month received and treated as property in subsequent months, per CPG 44-100.M.

Any Diversion income received from out-of-state cannot count against the CalWORKs 48-Month time limit, however, the Eligibility Worker will need to coordinate with the other state to ensure that the correct number of months of TANF time on aid is counted.

Procedure:

Refer to Processing Guide 40-100.I.1 located in the CalWIN Intranet.

Other Program Impacts:

Refer to the following regulation for corresponding process:

- CalFresh 63-220 Income Exclusions
- Medi-Cal 09.06.33 CalWORKs Diversion Payments

References:

MPP 81-200

Sunset Date:

This policy will be reviewed for continuance on or by 3/31/2019.

Release Date:

3/29/2016